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Atty Dkt No. 7610-0022.22

PATENT

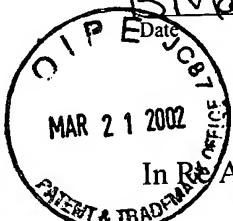
#4

March 15, 2002

15 Mar 2002

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re Application of:

Mitchell W. MUTZ et al.

Serial No.: 10/040,926

Group Art Unit: 1623

Filing Date: December 28, 2001

Examiner: Unassigned

Title: FOCUSED ACOUSTIC EJECTION CELL SORTING SYSTEM AND METHOD

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, DC 20231

Sir:

This is an Information Disclosure Statement submitted for the Examiner's consideration.

Applicants respectfully request that the Examiner review and make of record the references identified below.

The references identified below and listed on the attached PTO-1449 forms as Reference Nos. AA-AD were disclosed in parent application Serial No. 09/751,666, filed December 28, 2000, and, as such, copies thereof are not included pursuant to the provisions of 37 CFR § 1.98(d).

U.S. PATENT DOCUMENTS		
Document No.	Issue Date or Publication Date	Name of Patentee or Applicant
Serial No. 09/669,996	Filed 9/25/00	Ellson et al.
5,506,141	4/9/96	Weinreb et al.
6,103,479	8/15/00	Taylor

NONPATENT DOCUMENT

"CellSelector™" product description, Cell Robotics Inc., Albuquerque, NM.

The references identified below and listed on the attached PTO-1449 form as Reference Nos. AE-BA are newly cited. The first six newly cited references identified above and as listed on the attached PTO-1449 form as Reference Nos. AE-AJ are U.S. patent applications. As such, copies of those references are not included pursuant to 37 CFR § 1.98(a)(2)(iii). Accordingly, copies of Reference Nos. AK-BA are enclosed herewith.

U.S. PATENT DOCUMENTS		
Document No.	Issue Date or Publication Date	Name of Patentee or Applicant
Serial No. 09/669,194	Filed 9/25/00	Ellson et al.
Serial No. 09/727,392	Filed 11/29/00	Mutz et al.
Serial No. 09/962,730	Filed 9/25/01	Ellson et al.
Serial No. 09/964,193	Filed 9/25/01	Mutz et al.
Serial No. 09/964,212	Filed 9/25/01	Ellson et al.
Serial No. 09/999,166	Filed 11/29/01	Mutz et al.
2,056,426	10/6/36	Frantz
3,380,584	4/30/68	Fulwyler
3,710,933	1/16/73	Fulwyler et al.
4,308,547	12/29/81	Lovelady et al.
4,500,707	2/19/85	Caruthers et al.
4,765,737	8/23/88	Harris et al.
5,041,849	8/20/91	Quate et al.
5,158,889	10/27/92	Hirako et al.
5,436,327	7/25/95	Southern et al.
5,700,637	12/23/97	Southern et al.
5,798,779	8/25/98	Nakayasu et al.
6,044,981	4/4/00	Chu et al.
6,120,735	9/19/00	Zborowski et al.

NONPATENT DOCUMENTS
Amemiya et al. (1997), "Ink Jet Printing with Focused Ultrasonic Beams," <i>IS&T NIP 13: 1997 International Conference on Digital Printing Technologies</i> , pp. 698-702.
Kotecha et al. (1996), "Increase in Interleukin (IL)-1 β and IL-6 in Bronchoalveolar Lavage Fluid Obtained from Infants with Chronic Lung Disease of Prematurity," <i>Pediatric Research</i> 40(2):250-256.
Steel et al. (2000), "The Flow-Thru Chip TM : A Three-Dimensional Biochip Platform," <i>Microarray Biochip Technology</i> , Chapter 5, pp. 87-117, BioTechniques Books, Natick, MA.
Theriault et al. (1999), "Application of Ink-Jet Printing Technology to the Manufacture of Molecular Arrays," <i>DNA Microarrays: A Practical Approach</i> , Ed. M. Schena, Chapter 6 (Oxford University Press).

A PTO-1449 form listing all the references accompanies this paper. Applicants would appreciate the Examiner's initialing and returning the form to indicate that the references have been reviewed and made of record.

This Information Disclosure Statement is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any of the above references constitutes prior art to the present application within the meaning of 35 USC § 102.

As applicants have not yet received a first Action on the merits, no fee is required for filing this Information Disclosure Statement. If, however, the PTO finds that for some reason a fee is found to be necessary, our Deposit Account No. 18-0580 may be charged therefor. A **duplicate copy of this paper is enclosed.**

Respectfully submitted,

By:



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Sheet 18

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of

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Complete if Known	
Application Number	10/040,926
Filing Date	December 28, 2001
First Named Inventor	Mitchell W. MUTZ et al.
Art Unit	1623
Examiner Name	Unassigned
Attorney Docket Number	7610-0022.22

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No.	Issue Date or Publication Date	Name of Patentee or Applicant of Cited Document	Class	Subclass	Filing Date if Appropriate
AA	Serial No. 09/669,996			Ellson et al.			9/25/00
AB	5,506,141	4/9/96		Weinreb et al.			
AC	6,103,479	8/15/00		Taylor			

OTHER DOCUMENTS — NONPATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), Title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
AD	"CellSelector TM " product description, Cell Robotics Inc., Albuquerque, NM.		

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No.	Issue Date or Publication Date	Name of Patentee or Applicant of Cited Document	Class	Subclass	Filing Date if Appropriate
AE	Serial No. 09/669,194			Ellson et al.			9/25/00
AF	Serial No. 09/727,392			Mutz et al.			11/29/00
AG	Serial No. 09/962,730			Ellson et al.			9/25/01
AH	Serial No. 09/964,193			Mutz et al.			9/25/01
AI	Serial No. 09/964,212			Ellson et al.			9/25/01
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AK	2,056,426	10/6/36		Frantz			
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AM	3,710,933	1/16/73		Fulwyler et al.			
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AW	6,120,735	9/19/00		Zborowski et al.			

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AX	Amemiya et al. (1997), "Ink Jet Printing with Focused Ultrasonic Beams," <i>IS&T NIP 13: 1997 International Conference on Digital Printing Technologies</i> , pp. 698-702.		
AY	Kotecha et al. (1996), "Increase in Interleukin (IL)-1 β and IL-6 in Bronchoalveolar Lavage Fluid Obtained from Infants with Chronic Lung Disease of Prematurity," <i>Pediatric Research</i> 40(2):250-256.		
AZ	Steel et al. (2000), "The Flow-Thru Chip TM : A Three-Dimensional Biochip Platform," <i>Microarray Biochip Technology</i> , Chapter 5, pp. 87-117, BioTechniques Books, Natick, MA.		
BA	Theriault et al. (1999), "Application of Ink-Jet Printing Technology to the Manufacture of Molecular Arrays," <i>DNA Microarrays: A Practical Approach</i> , Ed. M. Schena, Chapter 6 (Oxford University Press).		

Examiner Signature	Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.